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December 5, 2016

By ECF

Hon. Steven L. Tiscione
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 10007

**Re: Brown v. City of New York, et al.,
15 CV 4357 (LDH) (ST)**

Dear Judge Tiscione:

I represent plaintiff and hereby submit the parties' joint status report certifying that discovery was completed in this case on December 2, 2016, with one limited exception.

On November 29, non-party witness Fran Weiner, a Bureau Chief with the Kings County District Attorney's office ("KCDA"), was deposed, at which time counsel for the KCDA instructed ADA Weiner not to answer questions about a proffer session, asserting that the subject was protected by the law enforcement privilege. The defendants challenged that position. During the ensuing telephone conference, the Court ruled for the KCDA but agreed the defendants could move to compel further testimony if the motion was made within one week of receipt of the deposition transcript. Plaintiff expects to receive the transcript within the next few days, and will produce it promptly.

Accordingly, the parties are in agreement that discovery is now complete, with the limited exception of defendants' possible motion to compel further testimony from the KCDA.

Respectfully submitted,



Michael Lumer

cc: Elissa Fudim, Sr. Counsel (by ECF)